

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

September 25, 2003

SUBJECT:

Variance Application APP2003-00809

Applicant: Steven Johnson
601 Grandin Avenue
Rockville, Maryland 20850

Property Location: 601 Grandin Avenue

Board of Appeals Public Hearing Date: October 4, 2003

REQUEST:

The applicant seeks a six-foot variance from the front yard setback requirement to construct a covered porch.

STAFF RECOMMENDATION:

Approval, subject to the following:

1. That the covered porch be constructed in substantial conformance with the submitted plans and with materials compatible with the existing home.
2. The applicant must submit an Affidavit of Posting certifying that the public hearing sign has been posted on the property in accordance with City requirements.

ANALYSIS:

Project Proposal

The applicant would like to construct a six-foot deep by twenty-four foot ten-inch wide covered porch on the Grandin Avenue frontage of the property. The porch is part of a larger project that includes a two-story addition onto the back of the house.

Property Description and Background

The subject property is located in the Rockville Park subdivision, where it is zoned R-60, One-Family Detached Residential. It is a corner lot that has a severe grade change from both Grandin Avenue and Baltimore Road. The property contains 7,927 square feet of

land. It is improved with a two-story single-family home. The property is part of an in-fill development that took place around 1983.

Requested Variance

Section 25-311 requires that dwelling be setback twenty-five feet from the front property line in the front yard. It also requires that any dwellings constructed thereafter be setback in line with the existing dwellings on the same block even though that setback may exceed the twenty-five feet minimum requirement. The applicant would like to place a six-foot deep porch onto the Grandin Avenue frontage of the house. In this case the twenty-five foot setback requirement applies. Since the front wall of the house is set twenty-five feet from the front property line on Grandin Avenue, a six-foot variance is necessary to construct the proposed porch.

Applicable Sections of the Zoning Ordinance

Section 25-1 defines variance as a modification only of the density, bulk or area requirements, where such modification will not be contrary to the public interest and, owing to conditions unique to the property and not the result of any action taken by the applicant, of which literal enforcement of the ordinance would result in practical difficulty.

Staff Analysis and Recommendation

The following are the findings that must be made in order for the Board to approve a variance as well as staff's observations.

1. **The variance as requested would not be contrary to the public interest.** The property is located within the Rockville Park subdivision, where encroachments are common. The adjacent house, on Baltimore Road, required a side yard setback variance to replace the porch, a house on the same block of Grandin Avenue is setback only fifteen feet from the front property line and another house on the corner of Reading Avenue and Grandin Avenue has a front setback of less than fifteen feet. As such, the variance as requested would not be contrary to the public interest.
2. **The variance is requested owing to conditions peculiar to the property and not the result of any action taken by the applicant.** The property is an in-fill lot that was developed around 1983. The house was built with no covering for the front door. It would have been easy to set the house back farther from Grandin Avenue and placed a covered porch at that time except that the builder may not have thought that a front door covering was appropriate to the style of the house. The lack of protection for the front door and the steep grades on both street frontages are conditions peculiar to the property and not the result of any action taken by the applicant.

3. **A literal enforcement of the Ordinance will result in practical difficulty.** The steep grades limit the usable area on the lot. The driveway is located to the back of the house and takes up a significant amount of the flat area of the lot. Allowing a covered porch on this side of the house will provide a safe and dry landing area for the family as they access the house from the driveway. As a result, a literal enforcement of the Zoning Ordinance will result in practical difficulty.

Based on the above, staff recommends approval of Variance Application APP2003-00809, subject to the conditions noted.

NOTIFICATION

Notices about the public hearing were sent to 620 residences, including those that are legally required.

Attachments